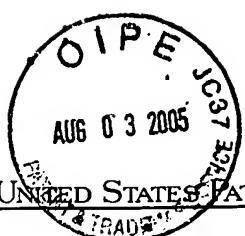


TJW



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/646,004	08/22/2003	Michael T. Willard	5362-454

## CONFIRMATION NO. 8999

27572  
HARNESS, DICKEY & PIERCE, P.L.C.  
P.O. BOX 828  
BLOOMFIELD HILLS, MI 48303

## FORMALITIES LETTER



\*OC000000016215956\*

Date Mailed: 06/08/2005

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

## FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 790 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(f) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of **\$2250** as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$3170** for a Large Entity

• \$790 Statutory basic filing fee.	08/08/2005 YPOLITE1 00000029 500275 10646004
• \$130 Late oath or declaration Surcharge.	01 FC:1001 790.00 DA
	02 FC:1051 130.00 DA
	03 FC:1202 1450.00 DA
• Total additional claim fee(s) for this application is \$2250	04 FC:1201 800.00 DA

- \$800 for 4 independent claims over 3.
- \$1450 for 29 total claims over 20.

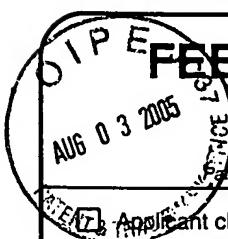
Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

---

*A copy of this notice **MUST** be returned with the reply.*

*Hayes*  
\_\_\_\_\_  
Office of Initial Patent Examination (703) 308-1202  
PART 2 - COPY TO BE RETURNED WITH RESPONSE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.



# FEES TRANSMITTAL for FY 2003

Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 1648

Complete If Known	
Application Number	
Filing Date	Herewith
First Named Inventor	Michal T. Willard
Examiner Name	
Group / Art Unit	
Attorney Docket No.	5362-000454

## METHOD OF PAYMENT (check all that apply)

Check  Credit card  Money  Other  None  
Order

 Deposit Account:

Deposit Account Number	50-0275
Deposit Account Name	ASC Incorporated

The Commissioner is authorized to: (check all that apply)  
 Charge fee(s) indicated below  Credit any overpayments  
 Charge any additional fee(s) during the pendency of this application  
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

## 1. BASIC FILING FEE

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code	Fee Code	(\\$)	(\\$)
1001	2001	750	375
1002	2002	330	165
1003	2003	520	260
1004	2004	750	375
1005	2005	160	80
SUBTOTAL (1)			(\$ 750)

## 2. EXTRA CLAIM FEES

Total Claims	Independent Claims	Multiple Dependent	Extra Claims	Fee from below	Fee Paid
49	7		-20 **	= 29	X 18 = 522
			-3 **	= 4	X 84 = 336
					X 0 = 0

Large Entity	Small Entity	Fee Description
Fee Code	Fee Code	(\\$)
1202	2202	18 9
1201	2201	84 42
1203	2203	280 140
1204	2204	84 42
1205	2205	18 9
SUBTOTAL (2)		(\$ 858)

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

## 3. ADDITIONAL FEES

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code	Fee Code	(\\$)	(\\$)
1051	2051	130 65	Surcharge - late filing fee or oath
1052	2052	50 25	Surcharge - late provisional filing fee or cover sheet
1053	1053	130 130	Non-English specification
1812	1812	2,520 2,520	For filing a request for reexamination
1804	1804	920* 920*	Requesting publication of SIR prior to Examiner action
1805	1805	1,840* 1,840*	Requesting publication of SIR after Examiner action
1251	2251	110 55	Extension for reply within first month
1252	2252	410 205	Extension for reply within second month
1253	2253	930 465	Extension for reply within third month
1254	2254	1,450 725	Extension for reply within fourth month
1255	2255	1,970 985	Extension for reply within fifth month
1401	2401	320 160	Notice of Appeal
1402	2402	320 160	Filing a brief in support of an appeal
1403	2403	280 140	Request for oral hearing
1451	1451	1,510 1,510	Petition to institute a public use proceeding
1452	2452	110 55	Petition to revive – unavoidable
1453	2453	1,300 650	Petition to revive – unintentional
1501	2501	1,300 650	Utility issue fee (or reissue)
1502	2502	470 235	Design issue fee
1503	2503	630 315	Plant issue fee
1460	1460	130 130	Petitions to the Commissioner
1807	1807	50 50	Processing fee under 37 CFR 1.17 (q)
1806	1806	180 180	Submission of Information Disclosure Stmt
8021	8021	40 40	Recording each patent assignment per property (times number of properties)
1809	2809	750 375	Filing a submission after final rejection (37 CFR § 1.129(a))
1810	2810	750 375	For each additional invention to be examined (37 CFR § 1.129(b))
1801	2801	750 375	Request for Continued Examination (RCE)
1802	1802	900 900	Request for expedited examination of a design application
Other fee (specify) _____			

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(\$ 40)

SUBMITTED BY		Complete (if applicable)	
Name (Print/Type)	Monte L. Falcoff	Registration No. Attorney/Agent	37,617
Signature		Date	August 22, 2003

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

**TRANSMITTAL  
FORM**

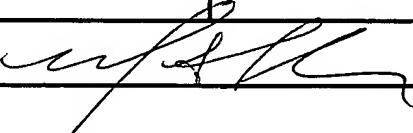
*(Patent to be used for all correspondence after initial filing)*

		Application Number	10/646,004
		Filing Date	August 22, 2003
		First Named Inventor	M. Willard
		Art Unit	
		Examiner Name	
Total Number of Pages in This Submission		Attorney Docket Number	5362-000454

**ENCLOSURES (check all that apply)**

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input checked="" type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) <i>(please identify below):</i>  <b>previously filed Fee Transmittal; stamped receipt postcard from USPTO; copy of Notice</b>
<input type="checkbox"/> Remarks		The Commissioner is hereby authorized to charge any additional fees that may be required under 37 CFR 1.16 or 1.17 to Deposit Account No. 50-0275. A duplicate copy of this sheet is enclosed.

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm or Individual name	Harness, Dickey & Pierce, P.L.C.	Attorney Name Monte L. Falcoff	Reg. No. 37,617
Signature			
Date	August 3, 2005		

**CERTIFICATE OF TRANSMISSION/MAILING**

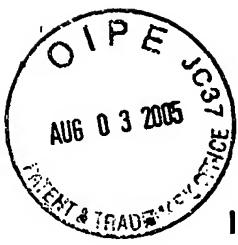
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name	Monte L. Falcoff	Express Mail Label No.	EV 406 076 215 US (8/3/2005)
Signature		Date	August 3, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

*If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.*

EV 406 076 215 US



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 10/646,004

Filing Date: August 22, 2003

Applicant: M. Willard

Group Art Unit:

Examiner:

Title: SOFT-TOP CONVERTIBLE ROOF SYSTEM FOR AN AUTOMOTIVE VEHICLE

Attorney Docket: 5362-000454

---

Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE TO NOTICE TO FILE MISSING PARTS**

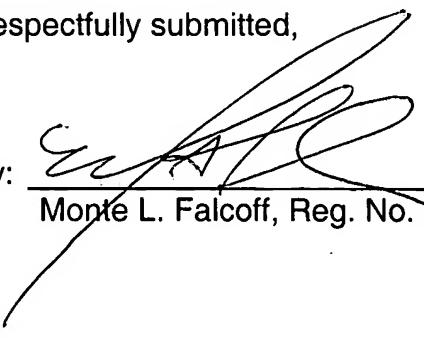
This is in response to the "Notice to File Missing Parts of Nonprovisional Application" dated June 8, 2005. This Notice is respectfully traversed as being incorrect. The U.S. Patent and Trademark Office was requested to charge all of the fees due (basic filing fee and excess claim fees) to Deposit Account No. 50-0275 of ASC Incorporated in the Fee Transmittal filed with the utility conversion application on August 22, 2003. A copy of the previously filed Fee Transmittal is attached and the USPTO-stamped postcard showing receipt is attached.

Thus no late surcharge fee should be due, and the basic filing and excess claim fees should have been charged at the amounts on August 22, 2003, not the

current fee amounts. Notwithstanding, if the USPTO disagrees then authorization is again given to charge all fees due to Deposit Account No. 50-0275. A copy of the Notice is enclosed.

Respectfully submitted,

Dated: August 3, 2005

By:   
Monte L. Falcoff, Reg. No. 37,617

HARNESS, DICKEY & PIERCE, P.L.C.  
P.O. Box 828  
Bloomfield Hills, Michigan 48303  
(248) 641-1600

MLF/cmg



Applicant: Michael Willard	Case No.: 5362-L 54
Serial No.:	Filing Date:
Title: A SOFT-TOP CONVERTIBLE ROOF SYSTEM FOR AN AUTOMOTIVE VEHICLE	
<p>Please acknowledge receipt of: Utility Patent Application Transmittal, Fee Transmittal (in duplicate), Application Data Sheet, thirty-four (34) page patent application, nineteen (19) sheets of drawings, executed Declaration and Power of Attorney, Recordation Form Cover Sheet (in duplicate), executed Assignment via Express Mailing Label No. EL623310355US</p>	
<p>By stamping and returning to Harness, Dickey &amp; Pierce, P.L.C.</p>	
Due:	Attorney: MLF
<p>USPTO Date Stamp</p>	

03917 U.S. PTO  
10/646004  
08/22/03